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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CHICAGO AREA JOINT WELFARE COMMITTEE FOR THE POINTING, CLEANING AND CAULKING INDUSTRY, LOCAL 52, *et al.*	)	
Plaintiffs,	)	Case No. 15 C 0069
v.	)	JUDGE RUBEN CASTILLO
	)	MAGISTRATE JUDGE DANIEL G. MARTIN
G. & C. CONSTRUCTION & SEALANTS, INC., an Illinois corporation, f/k/a, G & C CONSTRUCTION, INC.,	)	
Defendant.	)	

AGREED JUDGMENT ORDER

This matter coming on to be heard upon Plaintiffs' Complaint and Defendant's Answer, the Court, first being fully advised in the premises, FINDS:

1. It has jurisdiction of the subject matter herein and of the parties hereto.

2. The Defendant is bound by the terms of the collective bargaining agreement referred to in Plaintiffs' Complaint.

3. The Defendant is obligated to report and pay contributions to each of the Plaintiff Funds on behalf of its bargaining unit employees in accordance with the collective bargaining agreement.

4. The Defendant is bound by all the terms and conditions set forth in the Agreements and Declarations of Trust governing the Plaintiff Funds.

5. Defendant has submitted monthly contribution reports to the Plaintiffs identifying employees of the Defendant who performed work covered by the collective bargaining agreement, and the number of hours worked by or paid to those employees for the months of September 2013

through December 2015. Defendant has paid the contributions due through February 2015 and part of March 2015. Accordingly, Defendant has been assessed 20% liquidated damages and interest (at the prime rate, 3.25%) on contributions paid late, or remaining unpaid, with interest calculated from the due date through the date the contributions were paid.

6. Based on the contributions reported due by Defendant, taking into account all payments received to date, Defendant owes Plaintiffs contributions of $122,145.14, liquidated damages of $59,513.48 and interest of $2,570.93 (as of January 31, 2016).

7. Plaintiffs have also conducted a payroll compliance audit covering the period January 1, 2012 through December 31, 2014, which reflects unpaid contributions, liquidated damages and interest due totaling $1,749.67.

7. Plaintiffs are entitled, at their discretion, to audit the payroll books and records of Defendant to verify the accuracy of the monthly reports referred to herein for any unaudited period, and to determine what additional amounts, if any, may be due and owing to Plaintiffs.

8. Because Defendant has failed to timely pay all contributions required to the Plaintiff Funds, as provided in the Agreements and Declarations of Trust governing the respective Funds, 29 U.S.C. §1132(g)(2) and 28 U.S.C. §1961, Plaintiffs are entitled to recover:

(a) liquidated damages and interest on all contributions paid late or remaining unpaid;

(b) the cost of auditing the payroll books and records of Defendant;

(c) the costs and expenses of the Trustees, including their reasonable attorneys' fees;

(d) post-judgment interest; and

(e) costs and attorneys' fees incurred in executing on, or otherwise collecting, this judgment.

9. Plaintiffs have incurred costs and reasonable attorneys' fees totaling $6,690.25, as of December 31, 2015.

10. There is no just cause for delay in the entry of a Judgment Order as to the sum of $192,669.47 owed to the Plaintiffs from Defendant.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED:

A. That Plaintiffs recover from the Defendant, G. & C. CONSTRUCTION & SEALANTS, INC., $185,979.22, being the total amount remaining due for contributions, liquidated damages, and interest based on reports prepared by Defendant through December 2015 plus the payroll compliance audit through December 31, 2014.

B. That Plaintiffs recover from the Defendant, G. & C. CONSTRUCTION & SEALANTS, INC., the additional sum of $6,690.25 for costs and attorneys' fees incurred by the Plaintiffs.

C. That Plaintiffs recover from the Defendant, G. & C. CONSTRUCTION & SEALANTS, INC., the total sum of **$192,669.47**, plus post-judgment interest.

D. That Plaintiffs are awarded their costs and attorneys' fees to execute on, or otherwise collect this judgment.

ENTER:

[signature]

UNITED STATES DISTRICT JUDGE

DATED: 2/3/16

WE HEREBY AGREE TO THE ENTRY OF THIS ORDER.

CHICAGO AREA JOINT WELFARE COMMITTEE FOR THE POINTING, CLEANING AND CAULKING INDUSTRY, LOCAL 52, *et al.*

/s/ Patrick N. Ryan
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G & C CONSTRUCTION & SEALANTS, INC.

/s/ Todd A. Miller
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